

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (original): A capsule magazine unit that is releasably associable with a magazine receiving portion of a device for preparing a food or beverage, comprising:

at least one capsule magazine configured for receiving a plurality of capsules that contain a substance for preparing the food or beverage, the magazine having a removal opening configured and dimensioned for removal of the capsules from the magazine;

a capsule retainer associated with the magazine and movable with respect thereto between a retaining position, in which the retaining member blocks the removal opening sufficiently to keep the capsules from falling through the retaining opening, and a releasing position, in which the retaining member allows the capsules to be removed from the magazine through the opening for the preparation of the food or beverage; and

a retainer positioner associated with the retainer and configured for moving the retainer between the retaining and the releasing position upon an association of the positioner with a first portion of the device.

Claim 2 (original): The capsule magazine unit of claim 1, wherein the positioner extends from the retainer.

Claim 3 (currently amended): The capsule magazine unit of claim 1, wherein the positioner is configured for contacting the first portion as the magazine unit is placed ~~moved~~ into association with the magazine receiving portion, such that the first portion displaces the positioner, which displaces the retainer.

Claim 4 (original): The capsule magazine unit of claim 3, wherein the first portion blocks the positioner from movement past the first portion during insertion of the capsule magazine unit into the magazine receiving portion.

Claim 5 (original): The capsule magazine unit of claim 3, wherein the retainer is slideably mounted with respect to the capsule magazine.

Claim 6 (original): The capsule magazine unit of claim 3, further comprising a base configured for limiting movement of the retainer, wherein the base defines a slot with a shape and position corresponding to the first portion of the device and configured for allowing the first portion to pass through the base to the association with the positioner.

Claim 7 (original): The capsule magazine unit of claim 6, wherein the slots are configured for allowing the first portion to pass through the base substantially unimpeded by the base.

Claim 8 (original): The capsule magazine unit of claim 3, further comprising a base configured for limiting movement of the retainer, wherein the retainer protrudes laterally with respect to the base with respect to a direction of movement between the retaining and releasing positions, such that the first portion is able to pass adjacent the base to the association with the positioner.

Claim 9 (original): The capsule of claim 3, wherein the positioner is configured for moving the retainer from the retaining position to the releasing position.

Claim 10 (original): The capsule of claim 9, wherein the retainer is configured for moving from the releasing position to the retaining position by gravity.

Claim 11 (original): The capsule magazine unit of claim 1, wherein the capsule magazine has a magazine axis along which the capsules are stacked, and the removal opening is configured and oriented for removal of the capsule therethrough in a generally radial direction with respect to the magazine axis.

Claim 12 (original): The capsule magazine unit of claim 1, wherein the at least one capsule magazine comprises a plurality of capsule magazines.

Claim 13 (original): The capsule magazine unit of claim 12, wherein the capsule magazines are disposed generally parallel to each other.

Claim 14 (original): The capsule magazine unit of claim 12, wherein the capsule magazines are arranged substantially round shape for positioning the magazines in unloading positions with a revolving member of the magazine receiving portion.

Claim 15 (original): The capsule magazine unit of claim 13, wherein the retainer comprises a capsule retaining ring surrounding the capsule magazine.

Claim 16 (original): The capsule magazine unit of claim 1, wherein the magazine is configured for receiving capsules that are dimensioned to each contain a beverage component with in an amount to prepare a single serving of a beverage.

Claim 17 (original): The capsule magazine unit of claim 16, wherein the capsules contain coffee.

Claim 18 (original): A food preparation device for preparing a food or beverage, comprising:

- the capsule magazine unit of claim 1;
- a magazine receiving portion comprising the first portion; and
- a capsule handling mechanism operably associable with the capsules for removing the capsules from the removal opening and for removing contents thereof.

Claim 19 (original): The food preparation device of claim 18, further comprising a mixing device configured for missing contents of the capsules with a fluid to produce the food or beverage.

Claim 20 (original): The food preparation device of claim 19, wherein the food is a beverage and the food preparation device is a beverage preparation device.

Claim 21 (original): A beverage preparation device for preparing a beverage, comprising:

a magazine receiving portion;

a capsule magazine unit that is releasably associable with the magazine receiving portion, the magazine unit comprising:

at least one capsule magazine configured for receiving a plurality of capsules that contain a substance for preparing the food, the magazine having a removal opening configured and dimensioned for removal of the capsules from the magazine;

a capsule retainer associated with the magazine and movable with respect thereto between a retaining position, in which the retaining member blocks the removal opening sufficiently to keep the capsules from falling through the retaining opening, and a releasing position, in which the retaining member allows the capsules to be removed from the magazine through the opening for the preparation of the food; and

a retainer positioner associated with the retainer and configured for moving the retainer between the retaining and the releasing position upon an association of the positioner with a first portion of the food preparation machine; and

a mixing device configured for mixing contents of the capsules with a fluid to produce beverages.